

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Tohru YOKOZAWA et al. : **Mail Stop: PCT**

Serial No. NEW : Attorney Docket No. 2006_0382A

Filed May 10, 2006 :

PROCESS FOR PRODUCING OPTICALLY
ACTIVE 3-(4-HYDROXYPHENYL)PROPIONIC
ACIDS

[Corresponding to PCT/JP2004/017998

Filed November 26, 2004]

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

each U.S. Patent and U.S. Patent application publication;

each reference previously cited in the international application
PCT/JP2004/017998; and/or

each reference previously cited in prior parent application Serial No.

1a. This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /S.P./
ATTACHMENT C

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. This Information Disclosure Statement is submitted
after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:
(1) the certification of paragraph 2 below is provided, **or**
(2) the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. This Information Disclosure Statement is submitted:
after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:
the certification of paragraph 2 below is provided, and
the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

- a. that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- b. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.
4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
 - a. a full or partial English language translation submitted herewith,
 - b. a foreign patent office search report (in the English language) submitted herewith,
 - c. the concise explanation contained in the specification of the present application at page,
 - d. the concise explanation set forth in the attached English language abstract,
 - e. the concise explanation set forth below or on a separate sheet attached to the reference:
5. A foreign patent office search report citing one or more of the references is enclosed along with the Written Opinion.

Respectfully submitted,

Tohru YOKOZAWA et al.

By



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May 10, 2006

FORM PTO 1449 (modified)			ATTY DOCKET NO. 2006_0382A	SERIAL NO. NEW 10/578744			
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			APPLICANT Tohru YOKOZAWA et al.				
LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)			FILING DATE May 10, 2006	GROUP			
Date Submitted to PTO: May 10, 2006			U.S. PATENT DOCUMENTS				
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/S.P./	AA	5,783,738	7/1998	Mathey et al.			
↓	AB	5,334,758	8/1994	Saburi et al.			
↓	AC	5,559,267	9/1996	Burk			
	AD						
	AE						
	AF						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
/S.P./	AG	0 408 338	1/1991	EP			
↓	AH	02/24625	3/2002	WO			
↓	AI	99/62872	12/1999	WO			
↓	AJ	01/40159	6/2001	WO			
	AK						
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
/S.P./	AL	M. T. Linderberg et al., "Claisen Condensation as a Facile Route to an α -Alkoxy-cinnamate: Synthesis of Ethyl (2S)-2-Ethoxy-3-(4-hydroxyphenyl)propanoate", Organic Process Research & Development, Vol. 8, No. 6, pp. 838-845, 2004.					
↓	AM	S. Ebdrup et al., "Synthesis and Biological and Structural Characterization of the Dual-Acting Peroxisome Proliferator-Activated Receptor α/γ Agonist Ragaglitazar", J. Med. Chem., Vol. 46, pp. 1306-1317, 2003.					
↓	AN	H. J. Deussen et al., "Process Development on the Enantioselective Enzymatic Hydrolysis of S-Ethyl 2-Ethoxy-3-(4-hydroxyphenyl)propanoate", Organic Process Research & Development, Vol. 7, No. 1, pp. 82-88, 2003.					
↓	AO	Mark J. Burk et al., "Rh-DuPHOS-Catalyzed enantioselective Hydrogenation of Enol Esters. Application to the Synthesis of Highly Enantioenriched α -Hydroxy Esters and 1,2-Diols", J. Am. Chem. Soc., Vol. 120, pp. 4345-4353, 1998.					
	AP						
EXAMINER	/Sarah Pihonak/			DATE CONSIDERED	01/21/2009		